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1, rue Henri Becquerel
B.P. 202
92142 Clamart Cedex
FRANCE

☒ D-80298 München
☒ (+49-89) 2399-0
Tx 523 656 epmu d
Fax (+49-89) 23 99-44 65

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(61)

NL-2280 HV Rijswijk
☒ (+31-70) 340-2040
Tx 31 651 epo nl
Fax (+31-70) 340-3016

☒ D-10958 Berlin
☒ (+49-30) 25901-0
Fax (+49-30) 25901-840

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Anmeldungs- (und Direktions-*) Nr./Patent Nr. Application (and Directorate*) No./Patent No. N de la demande (et de la direction*)/n du brevet	Ihr Zeichen Your reference Votre référence	ggfs. Art und Datum der Unterlagen** Nature and date of items (optional)** Nature et date des pièces (facultatif)**
1		
2 PCT/EP2005/012189	PCT 21.1185	Letter of response to PCT written opinion including fig 1
3		
4		
5		
6		
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* falls bereits bekannt

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Etudes & Productions Schlumberger
1, rue Henri Becquerel B.P. 202
92142 Clamart Cedex - France
Tel. + 33 (0)1 45 37 24 37
Fax + 33 (0)1 45 37 20 10

Schlumberger

**International Preliminary
Examination Authority
EUROPEAN PATENT OFFICE**
P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk
Netherlands

*By Fax
Confirmation by mail*

Clamart, October 20, 2005

International Patent Application No. **PCT/EP2004/012189**
International Filing Date: 26/10/2004
Our Ref: **WO 21.1185**

Dear Sirs,

I refer to the written opinion dated October 25th, 2005 and enclose herewith comments of the Applicants.

The Examiner has cited against the current patent application applicant's prior art D1: WO 01/70646 related to a cement composition suitable for high temperatures.

To determine novelty of the current patent application and because the first claim corresponds to selection invention regarding D1, each of the three criteria defined by EP guidelines (C, IV, 7.7(ii)) has to be satisfied. Figure 1 shows the comparison between instant first claim (red triangles) and prior art's claims (black triangles). The three criteria apply: the selected sub-range is narrow compared to the known range; the selected sub-range is sufficiently far removed from any specific examples disclosed in the prior art (# 1, 2, 3 and 7 examples shown with arrows) and from the end-points of the known range; the selected range is not an arbitrary specimen of the prior art (see current patent application page 4, paragraph 16). Effectively, the new technical teaching is the fact that when the cement is heated at higher temperature up to 1200°C, anorthite, grossular and wollastonite become the main stable binders of the set cement. Therefore, cement compositions made in triangles anorthite/grossular/wollastonite and also for lower temperature anorthite/grossular/quartz

remain stable. The first claim of the current patent application is novel and depending claims also.

Further, nothing in D1 suggests to interest on cement compositions made in triangles anorthite/grossular/wollastonite and anorthite/grossular/quartz; and no teaching on phase stability at higher temperatures of those compositions is present. Therefore, first claim involves an inventive step and dependent claims also.

It is believed that in view of those comments a favourable preliminary examination report will be established.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Raybaud', enclosed within a simple rectangular box.

Hélène Raybaud
European Patent Attorney

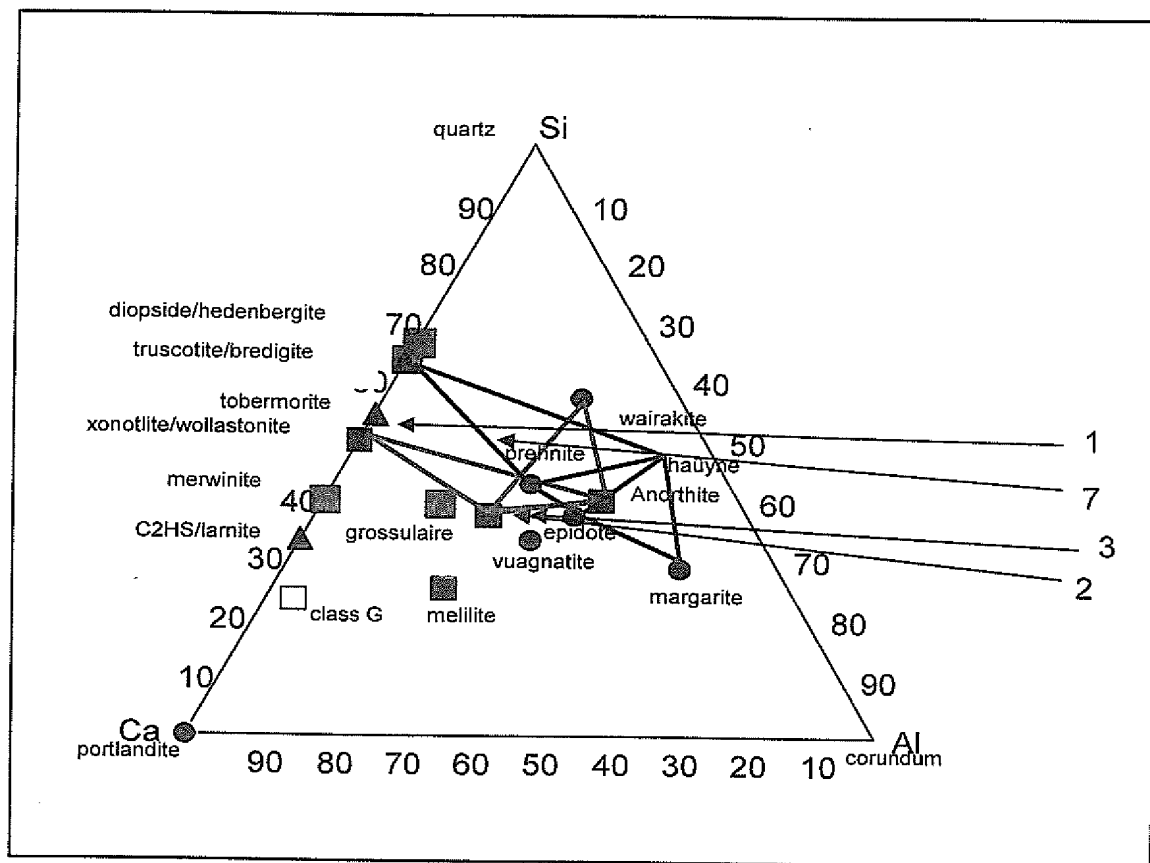


Figure 1